

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GENARO Q. PAED,
Plaintiff,

v.

BANK OF AMERICA, ET AL.,
Defendants.

No. C 11-03603 CRB

**ORDER RE-SETTING HEARING
DATE**

Pro se Plaintiffs Genaro Paed and Corazon Paed ask the Court to extend the hearing date on Defendants' Motion to Dismiss (dkt. 4) from Friday, October 7, 2011, to March 9, 2012, because Corazon Paed has left the United States for the Philippines to seek diabetes treatment and will not return until February 29, 2012. See dkt. 21. Defendants complain that Plaintiffs' entire lawsuit is intended to delay eviction and that an additional six month delay would prejudice them, and extend the time in which Plaintiffs live rent-free in the subject property. See Response (dkt. 23). The Court finds that Plaintiffs have not justified a six month delay, nor explained why Genaro Paed could not attend the hearing in Corazon Paed's absence. However, in order to give Plaintiffs ample opportunity to prepare for the hearing, the Court VACATES the current hearing date of October 7, 2011 and RE-SETS the hearing


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1 date for Friday, November 18, 2011.

2 **IT IS SO ORDERED.**

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4 Dated: October 4, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California